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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MMB Docket No. 1007-0564

Emerson Docket No. M-7371

Confirmation No. 6235

Application of: Astrauskas et al.

Group Art Unit: 2838

Serial No. 10/628,700

Examiner: Edward H. Tso

Filing Date: July 28, 2003

For: **Method and Apparatus for Conserving Battery for Operation of a Low Intensity Optical Communication Probe**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop - AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

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06/16/2006 NNGUYEN1 00000089 10628700

Sir:

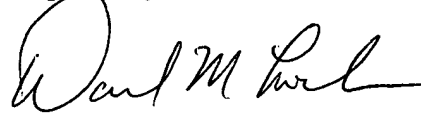
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Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision set forth in the Official Action mailed March 15, 2006, in which the Examiner finally rejected claims 1-20.

A check for \$500.00 is enclosed for the filing fee of a Notice of Appeal as required by 37 CFR § 1.17(b). Also, please provide any extension of time which may be necessary and charge any fees which may be due to Deposit Account No. 13-0014, but not to include any payment of issue fees.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David M. Lockman". The signature is fluid and cursive, with a large initial "D" and "L".

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